

REMARKS

Claims 1-24 were pending in the application. Claims 1-17 and 19-24 have been rejected. Claim 18 has been objected to as depending on a rejected base claim. Applicants have canceled Claims 4-6, 11, 13-14, 22 and 24 and added new claims 25-26. Claim 18 has been re-written in independent form and should therefore be allowed.

1. Rejections under 35 U.S.C. §112

The Examiner has rejected Claims 12 and 23 as being indefinite for lacking antecedent basis for a suspension arm display and an infant/child transportation device, respectively. Applicant has amended Claims 12 and 23 to depend from claims 10 and 22 with further amendment to Claim 12 to clarify the suspension arm display. Therefore, applicants believe that the rejections under 35 U.S.C. §112 have been overcome.

2. Rejections under 35 U.S.C. §102(e)

The Examiner has rejected Claims 1-3, 6 and 9-14 under 35 U.S.C. §102(e) as being anticipated by DeJule (U.S. 2003/0153240). The Examiner has also rejected Claims 1, 4, 5, 19, 20, 22 and 23 under 35 U.S.C. §102(e) as being anticipated by Forbes, et al. (U.S. 2004/0110326). The Examiner has also rejected Claims 1 and 7 under 35 U.S.C. §102(e) as being anticipated by Fong

(U.S. 2004/0067713). The Examiner has also rejected Claims 1-3, 16, 17, and 19-21 under 35 U.S.C. §102(b) as being anticipated by DaSilva, et al. (W.O. 200183067). The Examiner has also rejected Claims 1 and 15 under 35 U.S.C. §102(e) as being anticipated by Ward (U.S. 2004/0100796).

Applicants have Amended the Claims to more particularly point out features of the present invention.

Amended Claim 1 recites "a flexible and compressible solid device body of a form for providing a child/infant play or entertainment" and "one or more flexible multipixel displays forming at least one external surface of said device body for providing a visual display to said child/infant." None of the cited references teach or suggest such a solid and compressible device body or that the multipixel display mounted on and conforming to an external surface of the device body.

DeJule discloses a mobile having hanging figures formed from the displays themselves, and the device body recited in Claim 1 is absent from the devices anticipated by DeJule, further therefore the displays of DeJule are not mounted on and conformal a device body as recited in Claim 1. Therefore, DeJule does not anticipate amended Claim 1 nor dependent claims 2-3, 7-10, 12 and 15-17.

DeJule also does not disclose the transportation device of Claim 19 and therefore does not anticipate Claim 19 nor dependent claims 20-21, 23 and 25-26. Nor does Dejule suggest the claimed invention, as

Dejule teaches away from the use of a solid body by using the displays themselves as the hanging elements of the mobile and does not disclose transportation devices.

Forbes does not disclose a child toy at all, and while Forbes does disclose a shopping cart that provides for child/infant entertainment, as the subject matter is adapted for adults and is not oriented for viewing by a child in the typical child transporting position of a shopping cart. (See Forbes Fig. 26 and paragraph 88 for a description of the display orientation and purpose). Forbes also does not disclose toys as recited in Amended Claim 1. The devices disclosed in Figs 27, et seq. and described in paras 42-45 are clearly intended to be the actual devices depicted and not toys having a solid compressible body for providing child/infant play or entertainment. Further, the applications disclosed in Forbes are not analogous to the toy of Amended Claim 1 and are only tangentially related (i.e., the shopping cart can be a child transportation device) to the device of Amended Claim 19, as the shopping cart is not intended for use in infant/child entertainment.

Similarly, Ward does not disclose toys or transportation devices at all and is directed toward lamps made from multiple colored LEDs.

Fong does not disclose a flexible display conforming to a surface of the device body as recited in Claim 1. Fong teaches away

from conforming the display, as a housing and other support elements are used in conjunction with the LED display of Fong to mount and protect the display. There is no indication or suggestion in Fong that the display could be made flexible and conform to a surface of the bear body.

Finally, DaSilva does not disclose transportation devices and the toys that are disclosed therein do not appear to be solid bodies having flexible displays forming an external surface of the toys.

Therefore, for all of the reasons stated above, applicant believes that the rejections under 35 U.S.C. §102 have been overcome.

3. Rejections under 35 U.S.C. §103(a)

The Examiner has rejected Claims 8 and 24 under 35 U.S.C. §103(a) as being unpatentable over DeJule in view of Forbes.

For the reasons stated above, neither DeJule nor Forbes teach or suggest the present invention and neither does their combination. Claim 24 has been canceled and Claim 8 includes the limitations of Amended Claim 1 as argued above and further as argued above, the devices disclose as applications in Forbes are actual devices for use by adults and do not suggest a flexible, compressible structure that is made with a flexible display conformal to an external surface of the toy.

Therefore, for all of the reasons stated above, applicant believes that the rejections under 35 U.S.C. §103 have been overcome.

Therefore, for all of the reasons stated above, applicants believe that all of the rejections and objections have been overcome.

CONCLUSION

In conclusion, Applicants respectfully submit that this Amendment, in view of the Remarks offered in conjunction therewith, are fully responsive to all aspects of the objections and rejections tendered by the Examiner in the Office Action. Applicants respectfully submit that they have persuasively demonstrated that the above-identified Patent Application, including Claims 1-3, 7-10, 12, 15-21, 23 and 25-26 are in condition for allowance. Such action is earnestly solicited.

No fees should be incurred by this Amendment other than the fee of \$225 for a two-month Extension of time for which a check is attached, but if there are any other fees incurred by this Amendment Letter, please deduct them from our Deposit Account NO. 23-0830.

Respectfully submitted,



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